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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,011	01/08/2004	Ivan Duzevik	08211/0200348-US0/P05778	7721
38845	7590	01/25/2005	EXAMINER	
DARBY & DARBY P.C. P.O. BOX 5257 NEW YORK, NY 10150-5257			WELLS, KENNETH B	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/755,011

Applicant(s)

DUZEVIK ET AL.

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-13, 17 and 20 is/are rejected.
- 7) ☒ Claim(s) 7, 14-16, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/8/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It makes no sense to recite that the fourth variable resistance circuit is coupled to the fourth variable resistance circuit on the last two lines of claim 13.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6, 8-13, 17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamauchi.

As to claims 1, 17 and 20, note Fig. 1, where the recited output driver reads on the combination of FETs 12, 13, 15 and 16; the recited first and second variable resistance circuits reads on FETs 11 and 14, respectively; and the recited feedback circuit reads on control circuitry 30. The limitation on the last two lines of claim 1 is deemed to be inherent in the operation of Yamauchi's Fig. 1 circuit (because it is the object

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of Yamauchi to match the output impedance of driver 10 to the load which is to be coupled to line 20). The same is true for the limitation of claim 3. As to claim 4, the first through fourth transistors are FET 12, 13, 15 and 16, respectively. As to claims 10 and 11, note Fig. 10 of the reference, where FETs 11a through 11c read on the recited current source circuit and FETs 14a through 14c read on the recited current sink circuit. As to claims 12 and 13, the recited third and fourth variable resistance circuits read on FETs 31 and 36, respectively.

3. Claims 1-3, 5, 6, 8, 9, 12, 13, 17 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Macaluso et al, cited by applicant.

As to claims 1, 17 and 20, note Fig. 2, where the recited differential amplifier circuitry reads on the combination of FETs M76 and M77; the recited first and second variable resistance circuits reads on FETs M94 and M84, respectively; and the recited feedback circuit reads on the circuitry connected between lines 201, 202, 203, 204 and the inputs of FETs M94, M84. The limitation on the last two lines of claim 1 is deemed to be inherent in the operation of Macaluso's Fig. 2 circuit. The same is true for the limitation of claim 3. As to claim 2, note column 7, line 29 of Macaluso. As to claims 5 and 8,

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although the drains of FETs M94 and M84 are not connected directly to the differential FETs M76, M77, they are indeed connected indirectly to these FETs (via the drain-source channels of FETs M94, M84). As to claims 12 and 13, the recited third and fourth variable resistance circuits read on FETs M86 and any one of the FETs M79, M85, M97, M98, M93, respectively.

4. Claims 7, 14-16, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kenneth B. Wells
Primary Examiner
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January 21, 2005